## Amendments to the Claims:

This listing of claims will replace all prior versions, and listings of claims in the application:

## **Listing of Claims:**

Claims 1-41 (canceled)

- Claim 42 (currently amended): A nucleic acid-lipid particle for introducing a nucleic acid into a cell, said particle comprising a cationic lipid, a conjugated lipid that inhibits aggregation of particles, and a nucleic acid, wherein said nucleic acid is encapsulated in the lipid of in said particle and is resistant in aqueous solution to degradation with a nuclease.
  - Claim 43 (canceled)
- 1 Claim 44 (previously presented): The nucleic acid-lipid particle of claim 42, 2 wherein said particle is substantially non-toxic.
- Claim 45 (previously presented): The nucleic acid-lipid particle of claim 42, wherein said particle has a median diameter of less than about 150 nm.
- Claim 46 (previously presented): The nucleic acid-lipid particle of claim 42,
- 2 wherein said cationic lipid is a member selected from the group consisting of N,N-dioleyl-N,N-
- dimethylammonium chloride (DODAC), N,N-distearyl-N,N-dimethylammonium bromide
- 4 (DDAB), N-(1-(2,3-dioleoyloxy)propyl)-N,N,N-trimethylammonium chloride (DOTAP), N-(1-
- 5 (2,3-dioleyloxy)propyl)-N,N,N-trimethylammonium chloride (DOTMA), and N,N-dimethyl-2,3-
- 6 dioleyloxy)propylamine (DODMA), and a mixture of two or more of the above.
- 1 Claim 47 (previously presented): The nucleic acid-lipid particle of claim 42,
- wherein said particle further comprises an additional non-cationic lipid.

1	Claim 48 (previously presented): The nucleic acid-lipid particle of claim 47,
2	wherein said non-cationic lipid is selected from the group consisting of DOPE, POPC, and EPC.
1	Claim 49 (previously presented): The nucleic acid-lipid particle of claim 42,
2	wherein said conjugated lipid is a PEG-lipid.
1	Claim 50 (previously presented): The nucleic acid-lipid particle of claim 49,
2	wherein said PEG-lipid comprises from 1% to about 15% of the lipid present in said particle.
1	Claim 51 (previously presented): The nucleic acid-lipid particle of claim 49,
2	wherein said PEG-lipid is PEG-ceramide.
1	Claim 52 (previously presented): The nucleic acid-lipid particle of claim 51,
2	wherein the ceramide of said PEG-ceramide comprises a fatty acid group having 8 carbon atoms.
1	Claim 53 (previously presented): The nucleic acid-lipid particle of claim 51,
2	wherein the ceramide of said PEG-ceramide comprises a fatty acid group having 14 carbon
3	atoms.
1	Claim 54 (previously presented): The nucleic acid-lipid particle of claim 51,
2	wherein the ceramide of said PEG-ceramide comprises a fatty acid group having 20 carbon
3	atoms.
1	Claim 55 (previously presented): The nucleic acid-lipid particle of claim 49,
2	wherein said PEG-lipid is PEG-phosphatidylethanolamine.
1	Claim 56 (previously presented): The nucleic acid-lipid particle of claim 42,
2	wherein the nucleic acid:lipid ratio within said particle is at least 5 mg nucleic acid per mmol
3	lipid.

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I	Claim 57 (previously presented): The nucleic acid-lipid particle of claim 42,
2	wherein the nucleic acid:lipid ratio within said particle is at least 20 mg nucleic acid per mmol
3	lipid.
1	Claim 58 (previously presented): The nucleic acid-lipid particle of claim 42,
2	wherein the nucleic acid:lipid ratio within said particle is at least 40 mg nucleic acid per mmol
3	lipid.
1	Claim 59 (previously presented): The nucleic acid-lipid particle of claim 42,
2	wherein said nucleic acid is DNA.
1	Claims (O. (massionals, massantad). The models and limid montials of alains 12
1	Claim 60 (previously presented): The nucleic acid-lipid particle of claim 42,
2	wherein said nucleic acid is a plasmid.
l	Claim 61 (previously presented): The nucleic acid-lipid particle of claim 42,
2	wherein said nucleic acid is an antisense oligonucleotide.
1	Claim 62 (previously presented): The nucleic acid-lipid particle of claim 42,
2	wherein said nucleic acid is a ribozyme.
۷.	wherein said nucleic acid is a moozyme.
1	Claim 63 (previously presented): The nucleic acid-lipid particle of claim 42,
2	wherein said cationic lipid comprises 50% or less of the lipid present in said particle.
ı	Claim 64 (previously presented): The nucleic acid-lipid particle of claim 42,
•	wherein said cationic lipid comprises from an amount greater than 0% to about 20% of the lipid
,	
•	present in said particle.
l	Claim 65 (previously presented): The nucleic acid-lipid particle of claim 42,
2	wherein the nucleic acid component of said particle is substantially not degraded after exposure
3	of said particle to a nuclease at 37°C for 20 minutes.

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L	Claim of (previously presented): The nucleic actu-lipid particle of claim 42,
2	wherein the nucleic acid component of said particle is substantially not degraded after incubation
3	of said particle in serum at 37°C for 30 minutes.
1	Claim 67 (previously presented): The nucleic acid-lipid particle of claim 42,
,	wherein more than 10% of a plurality of such particles are present in plasma one hour after
2	
3	intravenous administration.
l	Claim 68 (previously presented): The nucleic acid-lipid particle of claim 42,
2	wherein transformation of cells by said particle at a site distal to the site of administration is
3	detectable for at least four days after intravenous injection.
ı	Claim 69 (currently amended): A pharmaceutical composition comprising a
2	nucleic acid-lipid particle and a pharmaceutically acceptable carrier, said nucleic acid-lipid
3	particle comprising a cationic lipid, a conjugated lipid that inhibits aggregation of particles, and a
1	nucleic acid, wherein said nucleic acid is encapsulated in the lipid of in said particle and is
5	resistant in aqueous solution to degradation with a nuclease.
l	Claim 70 (previously presented): The pharmaceutical composition of claim 69,
2	wherein said cationic lipid is selected from the group consisting of N,N-dioleyl-N,N-
3	dimethylammonium chloride (DODAC), N,N-distearyl-N,N-dimethylammonium bromide
1	(DDAB), N-(1-(2,3-dioleoyloxy)propyl)-N,N,N-trimethylammonium chloride (DOTAP), N-(1-
5	(2,3-dioleyloxy)propyl)-N,N,N-trimethylammonium chloride (DOTMA), and N,N-dimethyl-2,3-
5	dioleyloxy)propylamine (DODMA), and a mixture of two or more of the above.
l	Claim 71 (previously presented): The pharmaceutical composition of claim 69,
2	wherein said particle further comprises an additional non-cationic lipid.

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1	Claim 72 (previously presented): The pharmaceutical composition of claim 71,
2	wherein said additional non-cationic lipid is selected from the group consisting of DOPE, POPO
3	and EPC.
1	Claim 73 (previously presented): The pharmaceutical composition of claim 69,
2	wherein said conjugated lipid is a PEG-lipid.
1	Claim 74 (previously presented): The pharmaceutical composition of claim 73,
2	wherein said PEG-lipid is PEG-ceramide.
1	Claim 75 (previously presented): The pharmaceutical composition of claim 69,
2	wherein said nucleic acid is selected from the group consisting of a plasmid, an antisense
3	oligonucleotide, and a ribozyme.